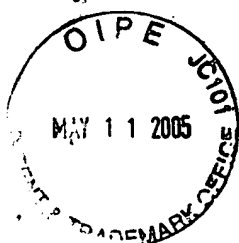


05-12-05

DAC  
JFW



MBHB Case No. 03-087-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert D. Groneberg et al.

Serial No. 10/823,372

Filing Date: April 12, 2004

For : Cyclic Amine Derivatives and Methods  
of Use

Examiner: Unassigned

Group Art Unit: 1614

**PETITION TO ACCORD EXPRESS MAIL "DATE IN" AS FILING DATE**

Box DAC  
Commissioner for Patents  
Washington, DC 20231

Sir:

Applicants request the correction of the filing date under 37 CFR § 1.10 to accord the Express Mail "Date In" as the filing date of the above referenced application. The application has been accorded the date of receipt of the application with the United States Receiving Office, which differs from the date of deposit of application with the United States Express Mail service number EV 334705585 US.

Attached herewith is a copy of the United States Express Mail Receipt, indicating April 12, 2004 as the "Date In" and therefore, date of deposit under 37 CFR § 1.10. A copy of the postcard, Transmittal letter, and the Express Mail Log used in-house to track packages are also enclosed.

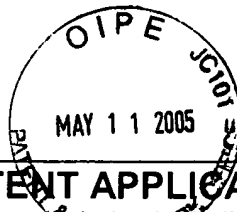
The Commissioner is hereby authorized to charge any fees required to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Stephen H. Docter  
Registration No. 44,659  
Attorney for Applicants

Date: May 11, 2005

McDonnell Boehnen Hulbert & Berghoff LLP  
300 South Wacker  
Chicago, IL 60606  
(312) 913-0001



# UTILITY PATENT APPLICATION TRANSMITTAL

Submit an original application and duplicate for fee processing  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Attorney Docket No. 03-087-A

First Named Inventor Groneberg

Express Mail No. EV334705585US

## APPLICATION ELEMENTS

1. ☒ Transmittal Form with Fee
2. ☒ Specification (including claims and abstract) [Total Pages 256]
3. ☐ Drawings [Total Sheets ]
4. ☐ Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed
  - b. ☐ Copy from prior application

**[Note Boxes 5 and 18 below]**

  - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☒ Application Data Sheet (See 37 CFR 1.76)
7. ☐ Computer Code Listing (See 1.96)
  - a. ☐ Microfiche Appendix
  - b. ☐ CD-Rom (in duplicate, with separate transmittal)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy
  - c. ☐ Statement verifying above copies
9. ☐ Small Entity Status
  - ☐ is claimed
  - ☐ Statement filed in prior application; status still proper and desired
  - ☐ is no longer claimed.

## ACCOMPANYING APPLICATION PARTS

10. ☐ Assignment Papers
11. ☐ Power of Attorney
12. ☐ English Translation Document (if applicable)
13. ☐ Information Disclosure Statement (IDS)
  - ☐ PTO-1449 Form
  - ☐ Copies of IDS Citations
14. ☐ Preliminary Amendment
15. ☒ Return Receipt Postcard (Should be specifically itemized)
16. ☐ Certified Copy of Priority Document(s)
17. ☐ A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i)
18. ☐ Other:

19. ☐ This is a CONTINUING APPLICATION. Please note the following:

- a. ☐ This is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part of prior U.S. Patent Application Serial No..
- b. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one claim must remain.)
- c. ☐ Amend the specification by inserting before the first line the sentence:  
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of application Serial No.
- d. ☐ The prior application is assigned of record to

## UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 03-087-A

## APPLICATION FEES

BASIC FEE				\$ 770.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	55-20 =	35	x \$18.00	\$ 630.00
Independent Claims	7 - 3 =	4	x \$86.00	\$ 344.00
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$290.00	\$
Total of above calculations =				\$ 1,744.00
Reduction by 50% for filing by small entity =				\$( )
<input type="checkbox"/> Assignment fee if applicable			+\$40.00	\$
TOTAL =				\$ 1,744.00

20. ☐ Please charge my Deposit Account No. 13-2490 in the amount of \$21. ☒ A check in the amount of \$1,744.00 is enclosed.

22. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.

23. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

## 24. CERTIFICATE OF MAILING

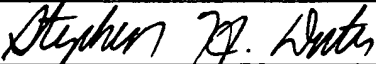
I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

## 25. USPTO CUSTOMER NUMBER

20306

McDonnell Boehnen Hulbert &amp; Berghoff LLP

## 26. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name	Stephen H. Docter
Reg. No.	44,659
Signature	
Date	April 12, 2004

UTIL (Rev. 11/21/00)

Hon. Commissioner of  
Patents and Trademarks

N/A

Re: Applicant - Groneberg et al.

Atty: SHD/gb

Case No. 03-087-A

CYCLIC AMINE DERIVATIVES

~~COMPOUNDS~~ AND METHODS OF USE

Sir:

Please place the Patent Office receipt stamp hereon and mail to acknowledge receipt of:

- ☒ Transmittal Letter (in duplicate)
- ☒ Application Data Sheet (7 pages)
- ☒ Specification, including claims and abstract ( 256 pages)
- ☒ Filing Fee Check
- ☒ Certificate of Express Mailing

**Fee Enclosed**

\$ 1,744.00

Date Mailed: April 12, 2004

Respectfully,  
McDonnell Boennen Hulbert & Berghoff LLP  
Attorney for Applicant

EV334705585US



AMS

## EXPRESS MAIL LOG

Date

4/12/04



ATTORNEY	MBHB CASE NUMBER	ENVELOPE CONTENTS	PERSON DEPOSITING IN MAILROOM	POST OFFICE LOCATION	DATE OF DELIVERY TO POST OFFICE	TIME OF DELIVERY TO POST OFFICE	PERSON MAKING DELIVERY
JFS	03-089-02	Exp. # EV3347055630US Transmitted; PET Request (6 shts); PET Fee Calculation Sheet; PET Application (57 shts. descrip. 11 shts. claims, 1 sht. abst., 12 shts. drawings); postcard	SMB	433 W. VAN BUREN	4/12/04	6pm	JB
SHD	03-086-A	Exp. # EV3347056030US Transmitted; App. Data Sheet (11 pgs.); specification (371 pages); check; postcard	SMB	433 W. VAN BUREN	4/12/04	6pm	JB
SHD	03-086-B	Exp. # EV3347055940US Transmitted; PET Request (8 shts); PET Fee Calculation Sheet; PET App (330 shts. descrip. 40 shts. claims, 1 sht. abs.); check; postcard	SMB	433 W. VAN BUREN	4/12/04	6pm	JB
SHD	03-087-A	Exp. # EV3347055850US Transmitted; Application Data Sheet (7 pgs); Specification (256 pgs); check; postcard	SMB	433 W. VAN BUREN	4/12/04	6pm	JB
SHD	03-087-B	Exp. # EV3347055770US Transmitted; PET Request (6 shts); PET Fee Calculation Sheet; PET Application (219 shts. descrip. 36 shts. claims, 1 sht. abst.);	SMB	433 W. VAN BUREN	4/12/04	6pm	JB

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED



EV 334705585 US



UNITED STATES POSTAL SERVICE®

Customer Copy  
Label 11-F June 2002

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PO ZIP Code 11100	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>		Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Date In Mo. Day Year 10 11 11	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 91.66		Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Time In <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM 7:32	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee		Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Weight 9 lbs. 10 ozs.	Int'l Alpha Country Code	COD Fee	Insurance Fee	<input type="checkbox"/> <b>WAIVER OF SIGNATURE</b> (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.			
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METHOD OF PAYMENT: Express Mail Corporate Acct. No.				Federal Agency Acct. No. or Postal Service Acct. No.			
<b>FROM: (PLEASE PRINT)</b> McDUNNELL BOEHNNEN HULBERT & BERGMANN 300 S. WACKER DR. FL 32 CHICAGO IL 60606-6680				<b>TO: (PLEASE PRINT)</b> MAIL STOP PATENT APPLICATION COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22313-1450			
PHONE 312, 915 0001				PHONE ( )			
03-087-A 349/330 SHD/gb							
<b>PRESS HARD.</b> You are making 3 copies.				<b>FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com</b>			





PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 03-087-A)

In the Application of:	)	
	)	
Robert D. Groneberg et al.	)	Examiner: Unassigned
	)	
Serial No. 10/823,372	)	
	)	Group Art Unit: 1614
Filed: April 12, 2004	)	
	)	
For: Cyclic Amine Derivatives and	)	Confirmation No.: 4861
Methods of Use	)	

**TRANSMITTAL LETTER**

Box DAC  
Commissioner for Patents  
Washington, DC 20231

Sir:  
In regard to the above-identified application:

1. We are transmitting herewith the attached
  - a. Petition to Accord Express Mail "Date In" as Filing Date;
  - b. Copy of Transmittal Letter, Postcard, and Express Mail Log;
  - c. Copy of dated Express Mail Receipt; and
  - d. Return Receipt Postcard.
2. With respect to additional fees:

No fee is believed due. If a fee becomes due, the Commissioner is hereby authorized to charge any fees required to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
3. **CERTIFICATE UNDER 37 CFR 1.10 (EXPRESS MAIL):** The undersigned hereby certifies that this Transmittal Letter and the documents hereinabove listed are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" being Express Mail No. EV334704378US in an envelope addressed to: Box DAC, Commissioner for Patents, Washington, DC 20231, on this 11<sup>th</sup> day of May, 2005.

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: May 11, 2005

By:   
Stephen H. Docter  
Registration No. 44,659